



February 7, 2003

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## HOUSE BILL No. 1154

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DIGEST OF HB 1154 (Updated February 4, 2003 2:38 PM - DI 107)

**Citations Affected:** IC 10-1; IC 34-30.

**Synopsis:** Reporting sale of methamphetamine precursors. Authorizes the state police to establish a retailer education program to inform retailers about illicit methamphetamine production. Allows retailers to report suspicious sales of methamphetamine precursors to the state police. Provides civil immunity for a retailer who makes a good faith report of the sale of methamphetamine precursors.

**Effective:** July 1, 2003.

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### Hasler, Ulmer, Thomas

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January 7, 2003, read first time and referred to Committee on Judiciary.  
February 6, 2003, amended, reported — Do Pass.

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HB 1154—LS 7114/DI 106+



February 7, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1154

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-1-11 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2003]:

4 **Chapter 11. Retailer Education Program**

5 **Sec. 1. As used in this chapter, "chemical reagents or**  
6 **precursors" has the meaning set forth in IC 35-48-4-14.5.**

7 **Sec. 2. As used in this chapter, "department" refers to the state**  
8 **police department.**

9 **Sec. 3. As used in this chapter, "superintendent" refers to the**  
10 **superintendent of the department.**

11 **Sec. 4. The superintendent may develop and maintain a**  
12 **program to inform retailers about illicit methamphetamine**  
13 **production, distribution, and use in Indiana.**

14 **Sec. 5. The superintendent may develop procedures and forms**  
15 **for retailers to use to report to the department suspicious**  
16 **purchases, thefts, or other transactions involving any product**  
17 **under the retailers' control that contains chemical reagents or**

HB 1154—LS 7114/DI 106+



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1 precursors.

2       **Sec. 6.** A retailer is not required to report to the department  
3 under this chapter.

4       **Sec. 7.** A retailer who makes a good faith report to the  
5 department under this chapter is immune from civil liability for  
6 making the report. This section does not apply to acts or omissions  
7 amounting to gross negligence or willful or wanton misconduct.

8       SECTION 2. IC 34-30-2-35.5 IS ADDED TO THE INDIANA  
9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2003]: **Sec. 35.5. IC 10-1-11-7 (Concerning**  
11 **a retailer who makes a good faith report relating to the sale of a**  
12 **methamphetamine chemical reagent or precursor).**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1154, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 6, after "report." insert "**This section does not apply to acts or omissions amounting to gross negligence or willful or wanton misconduct.**".

and when so amended that said bill do pass.

(Reference is to HB 1154 as introduced.)

LAWSON L, Chair

Committee Vote: yeas 11, nays 0.

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